

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

OJSC UKRNAFTA,)
)
)
Plaintiff,)
)
)
v.) Civil Action No. 4:09-CV-891
)
CARPATSKY PETROLEUM)
CORPORATION, et al.,)
)
)
Defendants.)
)

DECLARATION OF IEGOR SIEROV

I, Iegor I. Sierov, hereby declare:

1. My name is Iegor I. Sierov. I am thirty years of age, capable of making this declaration, and fully competent to testify to the matters stated herein due to my position. I have personal knowledge of the matters stated herein.
2. I have been Legal Counsel with the Legal Department of Ukrnafta since November 6, 2013. I am responsible for legal support for the activities of this company. I am personally familiar with the documents and information described herein. I submit this Declaration in support of Ukrnafta's Response to Defendant Carpatsky Petroleum Corporation's Motion for Summary Judgment, Renewed Motion to Dismiss, and Motion for Judgment Under Rule 54(b) ("Ukrnafta's Response").
3. Two agreements between OJSC Ukrnafta ("Ukrnafta") and Carpatsky Petroleum Corporation, along with addenda to those agreements, governed the development of two oil fields. I refer to defendant's former legal entity as "CPC-Texas," and its subsequent legal entity as "CPC-Delaware." Ukrnafta and CPC-Texas created a joint venture, which became the licensee for the development of the Bytkiv-Babchynske oil field ("the BB Field"). In addition, Ukrnafta and CPC-Texas signed the JAA to develop the Rudivsko-Chervonozavodske field ("the RC Field"). Believing it was fulfilling its contractual obligations, Ukrnafta unwittingly disclosed its trade secrets to CPC-Delaware, under the impression it was communicating instead with CPC-Texas. CPC-Delaware took no steps to properly participate in these agreements under Ukrainian law, which would permit it to receive or use these trade secrets.
4. Exhibit 1 to Ukrnafta's Response is a true and correct copy of the Final Award issued by the Arbitral Tribunal on September 24, 2010 in the arbitration between Carpatsky Petroleum Corporation and OJSC Ukrnafta, Arbitration V (124/2007).
5. Exhibit 2 to Ukrnafta's Response is a true and correct copy of the Decision on Jurisdiction issued by the Arbitral Tribunal on April 22, 2009 in the arbitration between Carpatsky Petroleum Corporation and OJSC Ukrnafta, Arbitration V (124/2007).

6. Exhibit 3 to Ukrnafta's Response is a true and correct copy of the Statement of Claim in the matter of a Challenge of Arbitral Award filed by Ukrnafta on December 23, 2010 in Case No. T 10470-10.

7. Exhibit 4 to Ukrnafta's Response is a true and correct copy of a Judgment issued by the Svea Court of Appeal on March 26, 2015 in Case No. T 10470-10, and an English translation of the same.

8. Exhibit 5 to Ukrnafta's Response is a true and correct copy of a Judgment issued by Stockholm District Court on December 13, 2011 in Case No. T 17345-09.

9. Exhibit 6 to Ukrnafta's Response is a true and correct copy of "Joint Activity Agreement 410/95," signed on September 14, 1995 by Poltavanaftogaz and Carpatsky Petroleum Corporation, and an English translation of the same.

10. Exhibit 7 to Ukrnafta's Response is a true and correct copy of "Agreement for Amendments and Supplements to Joint Activity Agreement No. 410/95, dated 14 September 1995, between Enterprise 'Poltavanaftogaz' and Carpatsky Petroleum Corporation, USA," signed on October 15, 1996 by Ukrnafta and Carpatsky Petroleum Corporation, and an English translation of the same.

11. Exhibit 8 to Ukrnafta's Response is a true and correct copy of "Changes and Amendments to Joint Investment and Production Activity Agreement No. 410/95 as of September 14, 1995, for Exploration and Development of the Rudivsko-Chervonozavodske Field, as Restated on October 15, 1996, in Consideration of Changes and Amendments as of December 25, 1997," signed on August 26, 1998 by Ukrnafta and Carpatsky Petroleum Corporation, and an English translation of the same.

12. Exhibit 9 to Ukrnafta's response is a true and correct copy of "Foundation Agreement on Establishment of UkrKARPATOIL Ltd. Joint Venture (As a Limited Liability Company)," signed on August 18, 1994 by Ukrnafta Joint Stock Company and Carpatsky Petroleum Corporation, and an English translation of the same.

Pursuant to 28 U.S.C. §1746, I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on 08 March 2018.
Kyiv City, Ukraine

Igor I. Sierov

